

ANNUAL REPORT TO THE GOVERNOR AND THE LEGISLATURE
ON THE SIGNIFICANT ACCOMPLISHMENTS OF
THE DELTA PROTECTION COMMISSION FOR THE YEAR 2008



JANUARY 2009

EXECUTIVE SUMMARY

The Sacramento-San Joaquin Delta is a natural resource of statewide, national, and international significance, containing irreplaceable agricultural lands, diverse habitat, and recreational opportunities. As demonstrated through the adoption of the Delta Protection Act (Act) by the Legislature and the Governor in 1992, it is the policy of the State to recognize, preserve, protect and enhance Delta resources for the use and enjoyment of current and future generations.

The Delta Protection Commission (Commission) was created pursuant to the Act to assure orderly, balanced, conservation and development of Delta land resources while recognizing the importance of maintaining and improving flood protection to ensure an increased level of public health and safety.

The designation of the Primary and Secondary Zones of the Delta, and the adoption of policies contained in the 1995 Land Use and Resource Management Plan for the Primary Zone of the Delta (Regional/Management Plan), and formally adopted in Delta local government general plans, have provided the framework for effectively carrying out the role of the Commission as provided for in the Act.

Recognition of the unique values of the Delta, and their importance to the people of the State of California, as well as nationally and internationally, has increased awareness and acknowledgement of the Act and the importance of the role of the Commission in the Delta. The Commission takes great pride in its role of facilitation of stewardship of the Delta by providing a strong voice for those who live, work and play there.

This important role in promoting recognition of “Delta as a Place” is guided and supported through the implementation of the policies of the Commission’s Management Plan, and the Program Management, Funding and Leadership Strategies of its 2006-2011 Strategic Plan to effectively and collaboratively accomplish the following adopted vision and mission:

Vision

The Delta in the year 2011 is a dynamic and living system.

Mission

To protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment consistent with the Act and the Management Plan, including, but not limited to agriculture, wildlife habitat and recreational activities; to ensure orderly, balanced conservation and development of Delta land resources and improve flood protection.

SIGNIFICANT ACCOMPLISHMENTS IN 2008

Significant accomplishments of the Commission, in 2008, to effectively and efficiently achieve its Vision and Mission, and to successfully meet the expectations of the Administration, the Legislature, and Delta interests as provided for in the Act, are summarized below and highlighted in greater detail throughout this report along with background information about the Act, the Commission, the Policies of the Management Plan, and the Goals of the 2006-2011 Strategic Plan:

Program Management

Appeal Authority: Affirmation of the Commission's appeal authority was reiterated in 2008 as the Commission completed the hearing process for two appeals filed in 2006 relative to an initial, and subsequently amended, local land use decision. The final outcome of the process was the remand of the project back to the local authority for further consideration to provide consistency with the policies of the Commission's Management Plan, particularly with respect to flood protection and public safety. The process was determined to satisfactorily meet the provisions of the Act and did not result in a legal challenge.

Management Plan Update: Updating the policies of the Commission's Management Plan, (adopted in 1995) was recognized as a priority for 2008. The update process was initiated in February and is anticipated to conclude with policy revisions for adoption by the Commission in July of 2009. This will serve as an essential guiding tool for the Commission, and local and regional Delta governments in making land use decisions and promoting stewardship of the Delta.

Urban Demands Analysis: In 2008, the Commission reviewed 28 projects proposed for the Primary Zone relative to the need for consistency with the policies of the Management Plan in accordance with the Act (subject to Appeal). Additionally, 27 projects proposed for the Secondary Zone were reviewed under the California Environmental Quality Act relative to potential impacts to the Primary Zone. The number of projects proposed for the Primary and Secondary Zones in 2008 was a significant increase in comparison to those proposed in 2007 and previous years (Attachment C). This increasing demand on the resources of the Primary Zone clearly demonstrates the value of the Commission's role and the effectiveness of the Act to require that proposals are subject to Appeal if not consistent with the policies of the Commission's Management Plan.

Delta Vision: The Commission actively participated in the Delta Vision and Strategic Plan process mandated under Executive Order S-17-06 – Delta Vision. Engagement of the Commission in this process resulted in the recognition of the Act, the Commission, and the policies of the Management Plan in several of the recommendations in the final report and implementation plan submitted to the Governor by the Delta Vision Blue Ribbon Task Force and the Delta Vision Committee at the end of 2008.

Delta Agricultural Easement Program: Pursuant to the provisions of Assembly Bill 797 and the policies of the Management Plan, the Commission initiated a process to develop principles, guidelines, and policies as tools for collaboratively implementing a Delta volunteer agricultural conservation easement program, ideally through the efforts of local land trusts. A discussion group comprised of representatives of local land trusts, habitat program managers, county agricultural commissioners, local government planners, and interested landowners and stakeholders was formed in 2008. A Statement of Need, identification of pertinent characteristics, and Proposed Scope of Strategy were adopted and will be utilized in the development of actual principles, guidelines and policies by the discussion group for implementation through existing programs.

Delta Branding and Stewardship: In 2008, the Commission was successfully awarded grant funding to initiate the feasibility and planning process for The Great California Delta Trail. Stakeholder outreach will commence in early 2009 with the formation of advisory committees and facilitation of public workshops. The Commission was also instrumental in obtaining funding for the completion of two links of the trail in Solano County and the formation of partnerships in the development of links in Contra Costa County. These efforts will continue to include other Delta counties in 2009. The Commission also completed extensive research culminating in the completion of a concept for the potential establishment of a National Heritage Area in the Delta. This effort will continue through the facilitation of public workshops and development of an application for designation in 2009. The Commission sponsored three sites in the Delta as part of California Coastal Clean-up Day in 2008.

Emergency Planning and Response: In 2008, the Commission continued efforts to promote Delta-wide emergency planning, particularly efforts to ensure that social implications are addressed as well as the physical flood fight aspects. The Commission partnered with the Governor's Office of Emergency Services, in consultation with local, state and federal emergency responders, to complete "A Strategy for Collaborative Emergency Response Planning in California's Delta Region – Phase I Report." A concept for Phase II (Emergency Planning Gap Analysis) has been developed and funding will be solicited for completion in 2009 as a component of the provisions of Senate Bill 27.

Delta Mercury TMDL Collaborative: In response to the mandates of the Environmental Protection Agency to the California Environmental Protection Agency (Regional Water Quality Control Board) to develop a Mercury Total Maximum Daily load requirement for the Delta, the Commission formed a collaborative of interested parties to pool resources and assist Regional Board staff in the development of an effective program. Through the constructive input of this collaborative, lead by the Commission, the Regional Board has now embarked on an extensive outreach program to ensure all interests are represented at the table and that benefits of traditionally thought of sources of methylmercury such as wetlands are taken into consideration as well as the potential impacts. This is a demonstration of the effectiveness of the Commission to facilitate Delta-wide interests having a common objective.



Abandoned Vessel Removal: In 2008, the Commission continued to facilitate a discussion group of local government law enforcement officials, resource managers, building officials, and interested parties to discuss a Delta-wide approach for addressing the growing issue of abandoned vessels in the Delta. The group developed a list of tools essential to addressing the issue that included: updating local ordinances for timely removal; development of prevention incentive programs; manpower support resource pooling; establishment of a fund to provide required grant match funds; and pursuit of legislation to enhance existing programs

including the extension of grant programs to provide for removal of commercial as well as recreational vessels. Establishment of a matching fund and sponsorship of legislation for commercial vessel removal will be pursued under the facilitation of the Commission in 2009.

Funding:

In 2008 the Commission continued to develop and initiate creative funding strategies to supplement its base non-General Fund budget of \$344,000 (State

2008-2009 Base Budget

<i>Environmental License Plate Fund:</i>	<i>\$157,000</i>
<i>Harbors and Watercraft Fund:</i>	<i>\$187,000</i>
<i>Total:</i>	<i>\$344,000</i>

Environmental License Plate Fund and the Harbors and Watercraft Revolving Fund).

Supplemental funding sources for 2008 included: Member contributions in the amount of \$66,000 (partial pro-rate for 2008); grant awards totaling \$188,000+; and reimbursements for services in the amount of \$61,000.

In order to continue to effectively address the increasing workload demands on Commission staff to efficiently serve the Commission in its role under the Act, staffing has been accomplished by utilizing graduate students and position vacancy salary savings. These measures have allowed the staff number of three to double while minimizing impacts on limited budget resources.

Leadership:

The Commission also adopted a policy to have its meetings in locations throughout the Delta (north, central, south and west) to provide effective access for Delta stakeholders and efficiently reflect its diverse geographic representation.

With the passage of Assembly Bill 2503 in 2008, the ability of the Commission to effectively carry out its role under the Act was strengthened with the new provision allowing for member alternates. This will greatly improve upon the Commission's ability to ensure a quorum for actions to be taken in order to effectively carry out the role of the Commission as called for in the Act.

In 2008, a policy was adopted providing that the Chair (elected for a two year term) would be held by a local elected official and the Vice-Chair would be a Water Agency representative. The Chair would be elected by the Commission, taking into consideration length of term serving on the Commission and meeting attendance record.

BACKGROUND INFORMATION

The Act:

The Delta Protection Act was adopted by the Legislature in 1992 and subsequently amended in 1996, 1998, 1999, 2000 and 2008. The Act, codified in the Public Resources Code beginning with Sections 29700 is also known as the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992.

The Act was created pursuant to findings and declarations of the Legislature that the Sacramento-San Joaquin Delta is a natural resource of statewide, national, and international significance, containing irreplaceable resources. Furthermore, the Legislature found and declared that it is the policy of the State to recognize, preserve, and protect those resources of the Delta for the use and enjoyment of current and future generations. Thus, the Commission serves as an appeal body relative to land use decisions involving projects in the Primary Zone of the Delta and reviews projects in the Secondary Zone that have the potential to impact the Primary Zone.

The Delta Protection Commission was created under the Act. The diverse composition of the Commission provides for stakeholder representation in the areas of agriculture, habitat, and recreation. The twenty-three members of the Commission include: landowners from North, South, West, and Central Delta Reclamation Districts/Water Agencies; a member of the County Board of Supervisors from each of the five Delta counties (Contra Costa, Sacramento, San Joaquin, Solano, and Yolo); a representative from the Sacramento Area Council of Governments (SACOG), the Association of Bay Area Governments (ABAG), and the San Joaquin Council of Governments (SJCOG); high-level leaders from the California Department of Fish and Game, California Department of Parks and Recreation, California Department of Boating and Waterways, California Department of Water Resources, California Department of Food and Agriculture, and the California State Lands Commission, as well as a Delta representative on the Bay Delta Authority; and three appointees of the Governor who are residents of the Delta representing agriculture, wildlife conservation, and recreational interests. Ex-officio members of the Commission include a member of the Senate (Senator Machado during 2008) and a member of the Assembly (Assemblymember Wolk during 2008).

The 23 Commission members represent:

- *Delta Reclamation Districts/Water Agencies*
- *Counties of Contra Costa, Sacramento, San Joaquin, Solano, Yolo*
- *3 Regional Councils of Governments*
- *6 State Agencies*
- *The Bay Delta Authority*
- *Delta Residents/Landowners Representing Agriculture, Wildlife Conservation and Recreation*
- *Ex-officio members from the Senate and Assembly*

As called for in the Act, a Regional Plan was prepared and adopted by the Commission in 1995. This Plan sets out findings, policies, and recommendations resulting from background studies in the areas of environment, utilities and infrastructure, land use, agriculture, water, recreation and access, levees, and marine patrol/boater education/safety programs. In conformance with the provisions of the Act, local government general plans are to provide for consistency with the

provisions of the Regional Plan. The Commission serves as an Appeal body in the event an action of a local entity on a project located within the Primary Zone is challenged as being inconsistent with the Act or the Regional Plan. The Commission also reviews projects in the Secondary Zone that have the potential to impact the Primary Zone.

Provisions of the Act and Section 29780 of the Public Resources Code require that on January 1 of each year, the Commission submit to the Governor and the Legislature a report describing the progress that has been made in achieving the objectives of the Act. The opportunity is therefore provided to share highlighted 2008 accomplishments of the Commission.

2006-2011 Strategic Plan:

The 2006-2011 Strategic Plan adopted by the Commission in 2006 and continuing to be implemented in 2008 provides the framework and work plans for proactively and effectively carrying out the provisions of the Act and the implementation of the Regional Plan while utilizing existing authority. The Strategic Plan is a five-year business guide for the Commission that includes strategies, and annual tasks and deliverables for accomplishing the Commission's vision and mission. It also provides a basis for potential compatibility with Delta visioning and a structure from which to build on relative to the establishment of an enhanced land use governance authority and development of a Delta Plan. Primary components of the Strategic Plan include:

- Purpose of Commission, and Opportunities and Threats to the Delta;
- Commission Vision and Mission, and associated Health Indicators for the Delta;
- Program, Funding, and Leadership Strategies;
- Strategic Work Plan Goals for Program Administration; and
- Strategic Work Plan Goals for Implementation of the Regional Plan.

Purpose of Commission, and Opportunities and Threats to the Delta:

As part of the Strategic Plan process, the Commission reviewed its purpose and identified opportunities for, and threats to, achieving that role as follows:

The purpose of the Commission is to protect, preserve and enhance the Delta as it exists today serving multiple functions, including, but not limited to, agricultural land preservation, habitat protection, and enhancing recreational opportunities.

Threats to achieving the stated purpose were identified as including: insufficient levee integrity (including subsidence); proximity to seismic fault zones; population growth and increased demands on all infrastructure elements of the Delta; potential increase in water supply demand for 23 million plus Californians; urban encroachment in the Primary and Secondary Zones; market pressures on agribusiness, i.e., conversion of ag land to non-agriculture uses; insufficient integrated regional planning and implementation; disputes over public access; environmental influences such as invasion of non-native species in the waterways, rising ocean levels, water quality issues, etc.; and greater need for Commission stewardship and social responsibility, e.g., addressing abandoned vessels, dumping and pollution.

Health Indicators:

Noted below are the health indicators identified and taken into consideration in the development of the Vision and Mission pursuant to the adoption of the Strategic Plan.

- An integrated approach to water, land use and resource management planning sufficient to protect, maintain, enhance and restore the cultural and economic sustainability of residents, businesses, agricultural and recreational interests consistent with a healthy ecosystem.
- Sufficient flood protection (e.g., levee maintenance and improvement, and subsidence mitigation) for residential, commercial, agricultural and public infrastructure.
- Sufficient fresh water flow and water quality in and through the Delta to meet the needs of Delta water uses (residential, commercial and agricultural), recreation, habitat preservation and water quality.

Program, Funding and Leadership Strategies:

Implementation of the strategies developed for accomplishing the vision and mission, initiated in 2007, continued in 2008 (see accomplishment details highlighted in subsequent section of this report).

Program:

- Effectively integrate the Regional Plan into local government general plans by working proactively with local planning departments to ensure full integration of the Regional Plan into general plans.
- Act as the appeal body for inconsistencies between general plans and the Regional Plan.
- Implement the Regional Plan on a prioritized basis to be consistent with the Act through the development and implementation of annual work plans.
- Participate actively in the development of a long-range Delta-wide vision and management plan in which the Regional Plan would be included.
- Initiate a proactive approach to collaborative participation in legislative and regulatory efforts so that the Commission's influence is represented in all discussions of proposed relevant legislation and regulatory change.

Funding:

- Continue to receive funds as designated under the Act by submitting Budget Change Proposals to sustain the budget for 2007-2008 and 2008-2009.
- Maximize funding allowable under the Act by applying for grants, pursuing bond opportunities, considering member contributions for specific activities and tasks, and pursuing other financial support as permitted by the Act such as gifts, donations, rents, royalties, and other financial support from private sources.
- Efficiently manage the Commission's resources through the streamlining of Budget Unit components.
- Participate in collaborative efforts to develop funding strategies that fully consider the economic benefits and costs of achieving the Commission's vision of the Delta.

- Promote strategies for the funding, acquisition, and maintenance of voluntary cooperative arrangements, such as conservation easements between property owners and conservation groups that protect wildlife habitat and agricultural land, while not impairing the integrity of infrastructure, including levees.

Leadership:

- Ensure a well-informed and effective membership body of Commissioners that reflects the diversity of Delta stakeholders by developing and implementing a Commissioner orientation program, and establishing meeting attendance norms and processes.
- Hire the best qualified and highest performing staff possible to carry out the responsibilities of the Commission, consistent with the Act and the Strategic Plan by evaluating long-term needs for positions and levels of expertise, and developing comprehensive human resources policies and implementing them consistently for all staff according to State requirements and policies.

EFFECTIVENESS IN PRESERVING AGRICULTURE, HABITAT AND RECREATION

Goals for implementation of the Management Plan, consistent with the Act, have been identified as a component of the Strategic Plan. Annual tasks to attain each goal have been identified for 2007/2008 and 2008/2009, and will continue to be identified annually over the term of the Five-Year Plan. The following is a synopsis of identified tasks and accomplishments for 2008.

Overall Plan Implementation

Goals: Complete summary of accomplished policy recommendations cited in the Regional Plan; establish priority/timeline for completion of remaining tasks; identify unaddressed areas; and develop tools for proactive “integration” of Regional Plan into local general plans and planning resources resulting in a positive image for the Commission.

Tasks/Status of Accomplishment:

Initiate and complete process for updating and implementing the policies of the Commission’s Management Plan.

The Commission initiated the process for updating the Management Plan in February of 2008 and it is anticipated recommended revisions will be adopted by the Commission in July of 2009. The process has included extensive opportunities for input through several public workshops, research of relevant documents, and the formation of an Advisory Team comprised of experts in diverse areas relevant to the Delta. Recommendations for the implementation of the updated policies will be incorporated into the Commission’s Strategic Plan. It has been suggested that the updated Management Plan could become the basis from which the proposed development of a “Delta Plan,” as proposed by the Delta visioning process could be built upon.

Play an integral role in assuring Commission and Delta stakeholder input into the Delta Vision and Strategic Plan implementation process, particularly relevant to the areas of governance, agriculture and levees.

The Commission actively engaged in the Delta Vision process through the participation of several members on the Stakeholder Group and as co-lead of the Delta as Place Sub-committee. Input was provided in several areas that included: recommending the designation of the Delta as a unique and valued place to be recognized as a co-equal value rather than merely an action needed to achieve the two co-equal values of restoring a healthy ecosystem and creating a reliable and predictable water supply; recognition of the role and responsibilities of the Commission under the Act in the creation of any new Delta governance structure; identification of land characteristics to be considered in proposed conversions of agricultural lands to habitat; and the importance of funded levee maintenance programs for public health and safety.

Support the establishment of an “in-delta” conservancy to promote implementation of the policies of the Commission’s Management Plan.

The Commission adopted a policy of support for the creation of a Delta Conservancy providing that the governance is representative of “in-delta” interests, including local government, stakeholders, and the Commission, as opposed to the extension of an existing Conservancy.

The Commission has also recommended that the Conservancy program include agricultural as well as habitat conservation.

Environment

Goals: Preserve and protect the natural resources of the Delta, including soils; promote protection of remnants of riparian habitat; promote seasonal flooding and agriculture practices on agricultural lands to maximize wildlife use of the hundreds of thousands of acres of lands in the Delta; and promote levee maintenance and rehabilitation to preserve the land areas and channel configurations in the Delta by enhancing educational awareness of the benefits of an adaptive working landscapes approach to managing agricultural and habitat resources; exploring options for balancing environmental mitigation with other lands uses, including agriculture and flood protection; and exploring options for land use practices (BMP) that reduce or reverse subsidence.

Tasks/Status of Accomplishment

Implement Lower Yolo Bypass Collaborative as a co-sponsor with Yolo Basin Foundation to assure stakeholder and local government input, and coordination with other Delta initiatives and project sponsors in the development of a management plan for the Lower Yolo Bypass, including Liberty and Prospect Islands.

The Lower Yolo Bypass Planning Forum has been convened by the Commission and the Yolo Basin Foundation as co-sponsors with the goal of identifying components for development of a management plan for the Lower Bypass. Forum participants have been convened to represent a broad array of interests in the Delta. Several public meetings were held in 2008 initially to share information and provide educational opportunities relative to the diverse aspects of the Bypass. During the latter portion of 2008, the discussions transitioned from education to identification of potential management plan components. While confronted with budgetary challenges, several participants have committed to supplementing funding resources to continue the forum displaying an indication of the importance viewed by those engaged in the process.

Promote habitat friendly levee maintenance consistent with the Commission's policies, and the recommendations of the Delta Vision Blue Ribbon Task Force, Delta as Place Subcommittee, and Working Landscapes Program.

The Commission has provided input to the Corps of Engineers and DWR to support habitat friendly levee maintenance where determined to be feasible. Also, projects using habitat friendly maintenance methods will be included in the Working Landscapes Program for which the Commission, in partnership with Ducks Unlimited and Hart Restoration, was awarded grant funding. It is anticipated the program will be implemented with interested landowners and reclamation districts in 2009, pending receipt of the awarded funding that has been delayed due to State budget constraints.

Support programs to address invasive species impacts.

In 2008, the Commission facilitated educational outreach forums in partnership with the Department of Boating and Waterways, and Department of Fish and Game, to elevate awareness of the impacts invasive species have on the Delta environment. The Commission has appointed two members to serve on the California Aquatic Invasive Species Management Team.



Promote coordination between local and state habitat conservation programs consistent with Management Plan policies.

In 2008 the Commission facilitated discussions between those involved in State initiatives, particularly the Bay Delta Conservation Plan, and local conservation efforts such as county HCP/NCCP programs, to promote recognition of common areas of opportunity and identify potential challenges and impacts.

Support programs for conversion of agricultural lands to habitat when determined to be consistent with the land characteristics identified by the Commission.

The following criteria was developed by the Commission for consideration in proposals calling for the conversion of agricultural lands to habitat: characteristics of highly productive agriculture lands and compatible uses such as nationally recognized wine growing regions; islands mapped out of the 100-year flood zone; lands with well/deep well drained soils; areas where permanent trees and vines are planted; levees maintained with state-of-the art systems; areas of highly maintained water quality; outstanding crop yields regionally recognized; and lands supporting existing homes, shops and value added agriculture components. This criteria was referenced in comments from the Commission to the Delta Vision BRTF and in commenting on legislative proposals in 2008.

Utilities and Infrastructure

Goals: Protect the Delta from excessive construction of utilities and infrastructure facilities, including those that support uses and development outside the Delta. Where construction of new utility and infrastructure facilities is appropriate, ensure the impacts of such new construction on the integrity of levees, wildlife, and agriculture are minimized.

Task/Status of Accomplishment

Continue to review proposals of Delta initiatives underway and provide input as deemed appropriate relative to consistency with the policies of the Commission's Management Plan.

Comments provided by the Commission, and representatives of the Commission on the Delta Vision Stakeholder Committee to the Delta Vision Blue Ribbon Task Force and the Delta Vision Committee have included reference to relevant provisions of the Act and policies of the Management Plan as it relates to utilities and infrastructure, including transportation, utility corridors, levee maintenance, and water conveyance facilities.

Monitor conveyance facility proposals and provide input as deemed appropriate relative to consistency with the Act and the policies of the Management Plan.

The Commission has facilitated a forum for the sharing of information relative to diverse perspectives on water conveyance infrastructure options being discussed in the Delta visioning process and other Delta initiatives.



Consider abandoned railroad rights-of-way to determine feasibility of rails-to-trails connections as components of The Great California Delta Trail.

Commission staff has initiated discussions and research to explore utilizing abandoned railway rights of way as links for The Great Delta Trail. This information will be utilized by the Delta Trail Stakeholder and Technical Advisory Committees when the process kicks off in early 2009.

Land Use

Goals: Protect the unique character and qualities of the Primary Zone by preserving the cultural heritage and strong agricultural base of the Primary Zone. Direct new residential, commercial, and industrial development within the existing communities as currently designated and where appropriate services are available.

Task/Status of Accomplishment

Promote inclusion of Delta Element or Chapter in Delta County General Plans.

Four of the five Delta counties are updating their general plans. To assure effective inclusion of the policies of the Commission's Management Plan, as called for in the Act, Commission staff has worked with local government planners to promote consideration of including the policies as a Delta Element or Chapter in the updated plans. To date, Sacramento County has included a Delta Element and Solano County has included a Delta Chapter in their general plans.

Coordinate with Delta counties to effectively utilize the Delta Checklist prepared by the Commission when reviewing projects proposed for the Primary Zone.

In 2008, Delta county planners began using the Delta Checklist developed by the Commission along with local planners in 2007 as part of the application package for project proposals involving areas in the Primary Zone. The objective of using the checklist is to provide project proponents with an awareness of the Commission's policies applicable to projects in the Primary Zone as early in the project planning process as possible.

Consolidate data from project monitoring lists to comparatively document trends in the Primary and Secondary Zones over time.

The Commission has compiled data that compares project proposals involving the Primary and Secondary Zones in 2005, 2006, 2007 and 2008 (Attachment C).



Support Delta branding efforts to promote stewardship, ag and eco-tourism, and development of marketing and economic stimulus incentives.

Most significantly in 2008, the Commission provided input into the Delta visioning process, including panel presentations, recommending that Delta as a Place be emphasized along with other vision goals. In response, components to support branding and economic development have been included in the BRTF final report, including recommendations for establishment of gateways, enterprise

zones, agricultural incentive programs, marking programs, and establishment of a National Heritage Area. The Commission has been cited as the lead on many of these recommendations. Relative to ongoing efforts to promote Delta stewardship, the Commission facilitated funding contributions from the five Delta counties for the development of a Delta Discovery Center; facilitated the posting of *Welcome to the Sacramento-San Joaquin Delta* signage in all five counties; facilitated and participated in outreach tours, presentations, exhibits and presentations; updated the Commission web site and traveling exhibit; and sponsored sites in three of the five Delta counties for participation in California Coastal Clean-up Day.



Complete feasibility study to initiate application for establishment of Delta National Heritage Area, including coordination with the Carquinez Strait Preservation Trust.

In 2008, Commission staff researched, and introduced to the Delta Vision BRTF, the concept of establishing a National Heritage Area in the Delta. To date, the process for establishing a National Heritage Area through a local sponsor has been researched, rapport has been established with the National Parks staff and sponsors of areas in other states, and discussions of geographic areas for which it would apply, including interest expressed by the Carquinez Strait

Preservation Trust, have been accomplished by Commission staff. In 2009, the Commission will engage consulting staff to begin the outreach process to further pursue completion of a feasibility study and application.

Include educational and interpretive component in links of The Great California Delta Trail where feasible.

The Commission, in partnership with the California Native Plant Society—Solano Region, was awarded grant funding from the County of Solano Fish and Wildlife Fund to design and install interpretive signs in the Native Plant Garden component of the Benicia State Recreation Area as a link of the Delta Trail. The Commission also successfully facilitated funding support from the State Lands Commission Kapiloff Land Trust Fund to complete the Glen Cove Waterfront Park along the Carquinez Strait that will provide for a link to the Delta Trail. Both projects are scheduled to be completed in 2009.



Participate in and promote programs to establish land use guidelines with respect to climate change and sea level rise.

The recognition of potential impacts of climate change and sea level rise in the Delta was one of the drivers leading to priority given to updating the Management Plan. Because the Office of Planning and Research (OPR) has been charged with developing guidelines for both State and local governments to address the anticipated influences on land use decisions, a representative from OPR has been included on the Management Plan Update Advisory Team. Also, the Commission has participated on the Natural Resources Agency Climate Change Team which has included involvement in the completion of a white paper on how climate change and sea level

rise are factors that need to be taken into consideration in the administration of the Commission's policies.

Promote opportunities, programs and processes to enhance and solidify buffers between the Primary and Secondary Zones.

Land Use trends in the Primary Zone and Secondary Zones documented by the Commission from 2005-2008 provides the realization of the increasing encroachment and urban demands on the resources of the Delta. The importance of maintaining and enhancing a boundary buffer between the two zones continues to be a challenge of importance and has been the subject of significant discussion during the Management Plan Update process.



Agriculture

Goals: Support long-term viability of commercial agriculture and discourage inappropriate development of agricultural lands by establishing forums for Delta-wide collaboration among agricultural interests on common activities and issues, and establishing a program for Delta agricultural easements.

Task/Status of Accomplishment

Facilitate development of a volunteer Delta-wide agricultural conservation easement program consistent with relevant policies of the Commission's Management Plan.

Consistent with the provisions of Assembly Bill 797 (enacted January 1, 2007) and policies of the Management Plan, the Commission initiated the formation of a discussion group comprised of Delta land trusts, Delta county Agricultural Commissioners, Department of Conservation and Department of Food and Agriculture representatives, American Farmland Trust, local conservation program managers, and others, to explore the potential for establishing a Delta-wide agricultural easement program. In 2008, significant discussions lead to the completion of extensive GIS mapping depicting identified parameters and the completion of a white paper from which to start developing principles and guidelines for development of an active program—including incentives for landowner participation. It is anticipated that an outcome in 2009 will be the finalization of principles and guidelines to then be used by land trusts in their programs. It is suggested that this program could serve as a tool for an in-Delta Conservancy program as is being recommended by the Delta BRTF.

Develop and implement Delta-wide rodent control program as it relates to levee maintenance.

The concept of a Delta-wide program is being considered through Commission-facilitated discussions with Delta County Ag Commissioners. The joint agreement for trapper services that currently exists between San Joaquin and Contra Costa Counties is being researched as to costs and effectiveness in order to determine if it would be cost effective to implement a similar arrangement between all Delta counties to share a common resource for addressing the issue.



Water

Goals: Protect long-term quality in the Delta for agriculture, municipal, industrial, water-contact recreation, and fish and wildlife habitat uses, as well as all other designated beneficial uses through the development of programs for Delta-wide collaboration to effectively and efficiently address water quality issues, including salinity intrusion, and participation in data collection/monitoring programs relative to salinity (X2).

Task/Status of Accomplishment

Facilitate collaborative to work with Central Valley Regional Water Quality Control Board to “effectively” establish mandated Mercury TMDL program.

The Mercury Collaborative created and facilitated by the Commission in 2006 and 2007 to provide Delta stakeholder input to the Regional Water Quality Control Board relative to the development of a Mercury TMDL program for the Delta proved to be successful in 2008. The efforts of the Commission-facilitated collaborative to collectively and constructively provide input to Board staff on draft program proposals, including the need to weigh beneficial aspects of wetlands in contrast to potential impacts of elevating methylmercury levels, were recognized by the Board through the formation of an extensive stakeholder process to commence in 2009.

Participate in State Water Plan update process.

To assist the Department of Water Resources to assure Delta stakeholder input into the Water Plan update process, the Commission was represented on the Planning Design Team and hosted several in-Delta workshops. Additionally, the Commission distributed, and continues to distribute, weekly updates to interested parties throughout the Delta.

Recreation and Access

Goals: Promote continued recreational use of the land and waters of the Delta. Ensure that needed facilities that allow such uses are constructed, maintained, and supervised. Protect landowners from unauthorized recreational uses on private lands. Maximize dwindling public funds for recreation by promoting public-private partnerships and multiple uses of Delta lands by establishing programs for recognition of the value of recreational access to appreciate the unique resources of the Delta.

Task/Status of Accomplishment

Facilitate feasibility and planning process for The Great California Delta Trail and complete Delta Trail links as part of existing and proposed trails.

The Commission was successfully awarded grant funds from the California Coastal Conservancy in 2008 to support the Delta Trail planning and feasibility process, including extensive outreach and formation of advisory committees in Solano and Contra Costa Counties. A consultant has been retained by the Commission to begin this effort in early 2009. Funding for a link of the Delta Trail at the Benicia State Recreation Area was also awarded to the Commission in partnership with the California Native Plant Society by Solano County in 2008. Also of significance in 2008 was the success of the Commission to facilitate award of funding from the

State Lands Commission for completion of the Glen Cove Waterfront Park along the Carquinez Strait, which will include a component of the Delta Trail.

Develop geographic information system to document existing recreational facilities in the Delta.

In 2008, the Commission was successfully awarded a grant of manpower resources by the National Park Service, Local Assistant Program to research and document existing recreational facilities, programs and mandates. This data will provide the basis for development of a Delta-wide GIS database. It is anticipated the Contra Costa and Solano Counties portion of the data base will be completed in 2009 utilizing funding support provided to the Commission by Contra Costa County in 2008.

Levees

Goals: Support the improvement and long-term maintenance of Delta levees by coordinating permit reviews and guidelines for levee maintenance. Develop a long-term funding program for levee maintenance. Protect levees in emergency situations. Give levee rehabilitation and maintenance the priority over other uses of levee areas by pursuing efforts to enhance recognition of public health and safety as a priority.

Task/Status of Accomplishment

Participate in Delta-wide emergency planning and response efforts in partnership with Office of Emergency Services, DWR, Delta Counties OES Team, Corps of Engineers and the Coast Guard.

In partnership with the Office of Emergency Services, the Commission retained consultant support to complete a "Strategy for Delta-wide Emergency Planning". Phase I, which consisted of interviews of Delta-wide emergency managers and planners (at all levels), and researching existing plans and documents was completed in June of 2008. Phase II will commence upon identification of a funding source and will include a thorough gap analysis of existing processes, plans and jurisdictions to be utilized as a tool for development of a Delta-wide program that includes the social as well as physical/technical aspects of emergency planning. The efforts of the Commission to present this program to the Delta Vision BRTF resulted in it being included as a strategy of the Task Force's final report which subsequently resulted in Senate Bill 27 being introduced in 2008 (signed by the Governor in 2009) to implement this component as well as other aspects and participants at the local, state and federal level. It is anticipated the provisions of this legislation will be implemented in 2009, assuming funding support is identified.

Participate in the Delta Risk Management Strategy development process.

The diverse representation and expertise of Commission membership has provided the opportunity for valuable input by the Commission into the Delta Risk Management Strategy process. The Commission has stressed the importance of factual, up-to-date information in the preparation of a document that will be referenced and utilized by Delta initiatives and decision making. The Commission is represented by its Executive Director on the Delta Risk Management Strategy Steering Committee.

Provide input on infrastructure bonds and legislation to express support for public health and safety projects.

The Commission has been actively engaged in the development of the Flood Safe Guidelines to assure they provide opportunities for funding of Management Plan policy implementation and local Delta emergency response programs and projects. The Commission has also served as a conduit for the distribution of information from State and federal entities to Delta stakeholders.

Support Long-Term Management Strategy (LTMS) for Dredging (re-use) and permit streamlining.

The Commission continued to actively provide input into the development of a Long-Term Management Strategy for Dredging through representation on the Executive Committee, and on the Management Committee as a signatory on the LTMS Memorandum of Understanding. Of particular focus in 2008 has been Commission support for the completion of a permit application that would be commonly used to process dredging proposals in the Delta by all entities having jurisdiction as part of the streamlined process being developed. The Commission also provided letters to Congressional representatives supporting the allocation of funding for the LTMS program and provided input on the list of potential dredge material reuse sites, particularly in Solano County.

Provide input into the Delta Vision Strategic Plan for implementation relative to levee maintenance priorities.

The Commission served as the co-lead for the Delta Vision BRTF, Delta as a Place Subcommittee which included discussions relative to levee maintenance that resulted in strategy recommendations being submitted for consideration in the Delta visioning process. Several members of the Commission also participated in panel discussions before the BRTF to share information and their expertise relative to levee maintenance priorities and costs, including clarification of often misinterpreted information. Support for the DWR Levees Subventions Program continued to be voiced by the Commission which proved to be successful with the retention of the program in 2008.



Marine Patrol, Boater Education, and Safety Programs

Goals: Pursue opportunities for development of Delta-wide programs to enhance boater awareness and an appreciation for recreational boating.

Task/Status of Accomplishment

Facilitate forum for collaboratively addressing abandoned vessel issue with a Delta-wide approach and promote programs to address the issue.

The issue of both commercial and recreational vessels abandoned in the Delta is growing with aesthetic, environmental and law enforcement impacts. The Commission recognized that any successful abandoned vessel removal program would only be effective if addressed with a Delta-wide approach to deter movement of abandoned vessels from one area to another within the Delta. Since 2006, the Commission has facilitated forums for discussion of this issue through the formation of a

discussion group that includes law enforcement and code enforcement officials, resource managers, and recreation specialists from the five Delta counties as well as representatives from federal and State departments having a role relative to addressing the issue. In 2008, this effort resulted in all five Delta counties seeking grant funding from the Department of Boating and Waterways for abandoned vessel removal. Issue areas identified by the group that will continue to be subject to discussion in 2009 include: need for more effective ordinances providing a streamlined mechanism authorizing removal; need for legislation to provide funding for removal of commercial as well as recreational vessels; development of a preventative program; establishment of a revolving fund within the Commission's budget to provide for upfront funding pending receipt of grant funding for timely removal; and pooling of resources utilizing resources such as the Conservation Corps for vessel removal.

Include potential to develop water trails in Delta Trail feasibility and planning process.

Commission staff is working with experts such as representatives from the Bay Trail and the National Park Service to identify existing links conducive to water trail connections as well as opportunities to provide upland amenities for boaters as a destination via water trails. The Delta Trail Advisory Committees will be including this topic in workshops held as part of the process to be kicked off in early 2009.

CLOSING REMARKS

In summary, the accomplishments of the Commission in 2008 have been guided by the provisions of the Act, Policies of the Management Plan, and Goals of the 2006-2011 Strategic Plan. The Commission will continue to work toward accomplishing tasks identified for 2008-2009, and identifying new tasks for adoption in 2009-2010. In its role of guiding land use decisions in the Primary Zone of the Delta and being a strong voice for those who live, work and play in the Delta, priority will be given in 2009 to completing and adopting revisions to the policies of the Management Plan, establishment of a Delta National Heritage Area, and promotion of programs to recognize the Delta as “A Place.”

Attachments:

- A. Map of the Sacramento-San Joaquin Delta
- B. Delta Protection Commission Roster
- C. 2005-2008 Project Review Summary